IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC.CIVIL APPLICATION NO.104 OF 2004.

Mrs.Madhuri @ Rasika
Ratnadeep Narkar,
C/o. H.J.Sarwankar, Sarwankar Wadi,
Varchi Vikas Mandal,Post Mosam,
Taluka Rajapur,District Ratnagiri.... Applicant.

V/s.

Shri Ratnadeep Shankar Narkar,
R/o 8/161,Jodia Mansion,
Chawl No.8, Room No.161,
Ganapatrao Kadam Marg,
Lower Parel, Mumbai 400 013. ... Respondent.

Ms Farida Contractor i/b Rajesh Gehani, advocate for applicant.

Mr. N.V.Gangal, advocate for respondent.

CORAM: A.S.OKA, J.

DATED: 25th February, 2005.

P.C.:

1. Heard the learned counsel appearing for the parties.

2. The applicant is wife and the respondent is husband. After having argued the matter for sometime, the counsel appearing for the parties state that matrimonial petition filed by the Respondent which is pending in the Family Court, at Bandra, Mumbai and application for maintenance

filed by the applicant which is pending in the Court of the learned Judicial Magistrate First Class at Rajapur should be transferred to the Court of Civil Judge, Senior Division, Ratnagiri. Hence I pass following order.

(i) Petition No.A-186 of 2004 pending in the Family Court, Bandra is transferred to Civil Judge, Senior Division at Ratnagiri. Criminal Application No.31 of 2004 filed by the applicant under Section 125 of the Code of Criminal Procedure, 1973 pending in the Court of Judicial Magistrate First Class, Rajapur is also transferred to the Court of Civil Judge, Senior Division, Ratnagiri. The learned District Judge, Ratnagiri to ensure that both the matters should be assigned to one and the same Court. After transfer of both the matters to the said Court, notice will be issued by the concerned court to both the parties.

(ii) Parties and the concerned courts to act on the authenticated copy of this order.

(iii) Misc.Civil Application is disposed of in the above terms with no order as to cost.

JUDGE